

**House File 356 - Reprinted**

HOUSE FILE 356  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 13)

(As Amended and Passed by the House March 25, 2013)

**A BILL FOR**

1 An Act relating to the statute of limitation periods in  
2 bringing suit and executing a judgment in an action on a  
3 claim for rent.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 614.1, subsection 5, Code 2013, is  
2 amended to read as follows:

3 5. *Written contracts — judgments of courts not of record —*  
4 *recovery of real property and rent.*

5 a. Those Except as provided in paragraph "b", those founded  
6 on written contracts, or on judgments of any courts except  
7 those provided for in subsection 6, and those brought for the  
8 recovery of real property, within ten years.

9 b. Those founded on claims for rent, within five years.

10 Sec. 2. Section 615.1, subsection 1, Code 2013, is amended  
11 to read as follows:

12 1. After the expiration of a period of two years from the  
13 date of entry of judgment, exclusive of any time during which  
14 execution on the judgment was stayed pending a bankruptcy  
15 action or order of court, a judgment entered in any of the  
16 following actions shall be null and void, all liens shall be  
17 extinguished, and no execution shall be issued except as a  
18 setoff or counterclaim:

19 a. {1} For a real estate mortgage, deed of trust, or real  
20 estate contract executed prior to July 1, 2009, an action for  
21 the foreclosure of the real estate mortgage, deed of trust,  
22 or real estate contract upon property which at the time the  
23 foreclosure is commenced is either used for an agricultural  
24 purpose as defined in section 535.13 or as a one-family or  
25 two-family dwelling which is the residence of the mortgagor.

26 {2} b. For a real estate mortgage, deed of trust, or real  
27 estate contract executed on or after July 1, 2009, an action  
28 for the foreclosure of the real estate mortgage, deed of trust,  
29 or real estate contract upon property which at the time of  
30 the execution of the mortgage, deed, or contract is either  
31 used for, or is being acquired for, an agricultural purpose  
32 as defined in section 535.13 or as a one-family or two-family  
33 dwelling which is the residence of the mortgagor.

34 ~~b. An action on a claim for rent.~~

35 Sec. 3. NEW SECTION. 615.1A Execution on judgment — claim

1 **for rent.**

2     After the expiration of a period of ten years from the  
3 date of entry of judgment in an action on a claim for rent,  
4 exclusive of any time during which execution on the judgment  
5 was stayed pending a bankruptcy action or order of court,  
6 such judgment shall be null and void, all liens shall be  
7 extinguished, and no execution shall be issued.